

EXHIBIT 3

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and) CASE NO.
ISELA HERNANDEZ, an individual,) CV17-03342-ODW (GJSX)
)
Plaintiffs,)
)
vs.)
)
)
)
PRECISION VALVE & AUTOMATION,)
INC., a corporation and DOES 1-20,)
)
Defendants.)
_____)

VIDEO-RECORDED DEPOSITION OF
RUBEN JUAREZ
VOLUME 1
Burbank, California
Thursday, March 8, 2018

Reported By:
Elizabeth Schmidt
CSR No. 13598

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PRECISION VALVE & AUTOMATION,)
INC., a corporation and DOES 1-20,)
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Defendants.)

Deposition of RUBEN JUAREZ, Volume I, taken on
behalf of Defendant, at 2500 North Hollywood Way,
Room P125E, Burbank, California, beginning at 9:03 A.M.
and ending at 2:19 P.M., on March 8, 2018, before
Elizabeth Schmidt, Certified Shorthand Reporter
No. 13598.

1 the specifics of it.

2 Q Can you remember any of the ones that you
3 took?

4 A That was the same question. I don't
5 remember. I took some computer training, but I don't 09:38:30
6 remember the name of it and what they covered.

7 Q So other than the AutoCAD training, the
8 computer training, what other types of training did
9 you get in your career?

10 A You mean through my employers or through my 09:38:53
11 normal life or -- could you be more specific.

12 Q Through your employers.

13 A Through my employers, I got a couple
14 trainings for SMD or SMT technology.

15 Q Anything else? 09:39:13

16 A I got a training on this particular
17 equipment, the PVA350. Not the 350. It was a
18 different model, but it was a PVA.

19 Q Anything else?

20 A Not that I can remember. Could be more. I 09:39:41
21 mean, I don't know them by heart.

22 Q You don't remember any others today.

23 A Right now, no.

24 Q Okay. What was the PVA equipment that you
25 did the training on? 09:40:11

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1 A That was a training for programming.

2 Q You said it was not the PVA350. So if it
3 was not the PVA350, what was it?

4 A It was a different model. I don't remember
5 the model. 09:40:31

6 Can we take a little break? My eyes start
7 to twitch.

8 MR. CATALONA: Yes. Let's take a
9 five-minute break.

10 THE VIDEOGRAPHER: The time is 9:40 and 09:40:46
11 we're going off the record.

12 (A recess was taken.)

13 THE VIDEOGRAPHER: The time is 9:46 and
14 we're back on the record.

15 BY MR. CATALONA: 09:46:29

16 Q Why did you decide to apply to work at
17 SpaceX?

18 A I thought it was a company that it was
19 meaningful, something meaningful to my career.

20 Q How far of a drive was SpaceX from your 09:46:46
21 house?

22 A I have never counted the mileage.

23 Q Isn't it 30 miles?

24 A I don't know.

25 Q How long did it take you to drive there? 09:46:57

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1 Q So Gregory Maxwell was a supervisor over
2 John Pena?

3 A No. John Pena was the director of avionics.
4 Gregory Maxwell was some kind of supervisor position.
5 I don't know exactly what his position was because I 09:51:25
6 wasn't working for him.

7 Q Did you report to John Pena directly the
8 entire time you worked for SpaceX?

9 A Let me think about that one. I did my
10 reports mostly with John Pena, but at one point -- it 09:51:55
11 is hard for me to explain the dynamics because SpaceX
12 is an evolving company. So one day, you're one
13 position; the next day, another director comes over
14 and you're a different position. So for the most
15 part, I know in my paper when I sign my original paper 09:52:24
16 when I was hired, I was to report directly to John
17 Pena.

18 Q Okay. Did you report to anyone else
19 directly after that?

20 A I think for this period of time, I think I 09:52:41
21 reported to -- not reported to; more like let him know
22 what I was working on -- to Gregory Maxwell.

23 Q Okay. So those two are the only people you
24 remember that supervised you.

25 A They were -- yeah. Again, Gregory Maxwell 09:53:00

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1 was not my supervisor. He was somebody who I would
2 just tell him what project I was working on. John
3 Pena was the one who gave me the projects to work on,
4 and then Gregory Maxwell will ask me how you doing on
5 this project or what are you doing here, could you 09:53:19
6 help us here, and he would ask me for input.

7 Q Right. Was there anyone else that did any
8 of that?

9 A Not that I can remember, no.

10 Q And you stopped working at SpaceX at the end 09:53:30
11 of March 2014?

12 A I think if that's what it says it is, the
13 paper says. I don't remember the exact date or month.
14 I know it was 2014.

15 Q You don't remember the month? 09:53:53

16 A No.

17 Q Did you work in one room at SpaceX or at
18 different locations?

19 A At first was one room, then thereafter, the
20 production area was moved to a different room. 09:54:18

21 Q So you worked in one room for a while, and
22 then later you worked in another room; right?

23 A Correct.

24 Q And your job was either in the first room
25 you worked in or in the second room. 09:54:31

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1 A Both.

2 Q Is that correct?

3 A Yes. They moved production from one room --
4 they were standing.

5 Q Right. I totally get that. So the work 09:54:45
6 that you did in the first room, was it the same work
7 that you did in the second room, it just changed
8 locations?

9 A Correct.

10 Q Okay. And were the same types of machines 09:54:56
11 and equipment in both of those rooms?

12 A No.

13 Q How did it change?

14 A We add more equipment.

15 Q Okay. So the second room had more 09:55:05
16 equipment.

17 A Yes.

18 Q And did the second room have the same kinds
19 of equipment that was in the first room but it added
20 some additional equipment? 09:55:14

21 A They added some additional equipment to the
22 room.

23 Q Okay. And other than going to lunch -- did
24 you go to lunch in a different room, or did you eat
25 lunch in the room that you were assigned to? 09:55:30

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1 A I just said that earlier, yes.

2 Q So the baths were only in the second room?

3 A No, no.

4 Q That was the room that had the outside work
5 station.

10:01:51

6 A Okay. So when we moved to the second floor
7 to the mezzanine, there was a conformal coating room
8 inside a production area. A large -- the whole
9 second -- I think it was the second or the third

10 floor. I'm not quite sure how do they call it. But
11 inside the third floor, it was this conformal coating
12 room. And my work station was outside the conformal

10:02:18

13 coating room, and the wash area was next to my
14 computer. So it's a complete separate situation.

15 Q Okay. So was there a conformal coating room
16 in the first room that you worked in?

10:02:41

17 A In the downstairs when I first started
18 working there --

19 Q Yes.

20 A -- it was a room within a room.

10:02:54

21 Q So the first room that you worked in, they
22 had a separate conformal coating room inside that
23 room.

24 A Correct. It was the floor plan, and it was
25 a room. And then inside that room, it was another

10:03:07

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1 room that had the conformal coating machine.

2 Q Okay. And the conformal coating machine is
3 the PVA350.

4 A Correct.

5 Q And in the second room, was there a separate 10:03:15
6 room for conformal coating inside the second room?

7 A No. It was inside the production area.

8 Q So you primarily worked in a room on the
9 mezzanine or the third floor, and there was a separate
10 room called the conformal coating room that you worked 10:03:34
11 in sometimes?

12 A I will estimate about 60 percent of my time,
13 I worked inside that room.

14 Q And the other time that you weren't working
15 inside that room, you had a computer that you worked 10:03:50
16 at.

17 A Well, essentially, in the SpaceX, you can
18 log in and log out at any computer.

19 Q Okay. But there was a computer there and
20 you would use that one? 10:04:05

21 MS. LI: Which room are we talking about?

22 BY MR. CATALONA:

23 Q The second room.

24 A I'm confused. You confused me now.

25 Q We were talking about the conformal coating 10:04:11

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1 room that was next to the -- strike that.

2 The second room that you worked at that you
3 said was on the mezzanine; right?

4 A It's not a room. It's a production floor.

5 Q Okay. So the second area where you worked 10:04:29
6 was called the production floor.

7 A Right.

8 Q And there was a conformal coating room that
9 was not on the production floor?

10 A It was located in the production floor but 10:04:37
11 separated, isolated from the rest of the production
12 area.

13 Q So similar to the first room where you had
14 the conformal coating room inside the first room, the
15 second room was a production floor that had a 10:04:49
16 conformal coating room inside of it, as well; right?

17 A Similar to scale, yes.

18 Q And your work station was outside of the
19 conformal coating room on the production floor, the
20 second area where you worked. 10:05:06

21 A Correct.

22 Q And your work station had a computer?

23 A Yes.

24 Q And also the baths that you would use were
25 at your work station by your computer? 10:05:17

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1 A They were next to it, but that was nothing
2 to do with the PVA350.
3 Q Right.
4 A There's a separate --
5 Q Sure. 10:05:25
6 A -- completely separate -- two different
7 items.
8 Q Sure. But you worked with those items.
9 A I didn't work with those items. I didn't --
10 the wash area was installed next to my work station. 10:05:36
11 I did not work on the wash area. Does that make
12 sense?
13 Q Okay. You did not work on the wash area,
14 but other people were washing parts in that area;
15 right? 10:05:54
16 A Correct.
17 Q Okay. And that was 12 inches from your work
18 station?
19 A Guesstimate more or less, yeah.
20 Q Yes? Okay. How was the air filtration 10:06:03
21 system used on the production floor?
22 A Which filtration system are we talking
23 about?
24 Q The one that you purchased.
25 A The one that I purchased was for the 10:06:30

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1 change in the first room when you worked there?

2 A When you say "machinery," do you mean
3 equipment itself --

4 Q Yes.

5 A -- or are you referring to tables, benches, 10:09:14
6 tools?

7 Q Well, I'm not referring to tables; I'm not
8 referring to tools. I'm referring to --

9 A Equipment.

10 Q -- equipment, machinery, computers, anything 10:09:23
11 like that.

12 A Did it ever change. Not that I can
13 remember.

14 Q In the second room, did any of the
15 machinery, equipment, or computers change? And by the 10:09:35
16 second room, I mean the production floor.

17 A You're not talking about the -- the -- the
18 conformal coating. You're talking about the
19 production area.

20 Q Yes. 10:09:50

21 A Well, we moved to the second floor to expand
22 our capacity. So they add a production line. That
23 was the whole purpose of the new layout.

24 Q Okay. Other than that, did it ever change?

25 A Did it ever change? It was constantly 10:10:10

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1 changing. They were bringing more equipment and
2 different stuff. So I didn't keep up with all the
3 changes.

4 Q Okay. When you were in the first room, were
5 any changes made to the conformal coating area? 10:10:21

6 A No.

7 Q And when you were in the second room, the
8 production floor, were any changes made to the
9 conformal coating machine, the PVA350, the conformal
10 coating room, anything like that? 10:10:42

11 MS. LI: Overly broad, compound.

12 Go ahead.

13 THE WITNESS: What do you refer? When you
14 say the room, did they did something to the room or
15 did they did something to the machine or did they did 10:10:52
16 something to the equipment, it's a big spectrum. Did

17 they did something to the room? Yeah, they put some
18 cameras in it. Did they did something to the machine?

19 Not that I know.

20 BY MR. CATALONA: 10:11:06

21 Q Well, okay. Other than the cameras, did
22 they do anything to the conformal coating room?

23 A Not that I can think of it, no.

24 Q In the second room, did they make any
25 changes to the PVA350? 10:11:21

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1 little bit? Because on the last question, I know --
2 it's hard for me to -- a lot of things happened during
3 the time that I worked at SpaceX; so it was always
4 something new coming up.

5 Q Fine. That's fine. 10:19:15

6 A Okay. So when you said did they ever modify
7 the machine, it was a modification on the machine
8 itself.

9 Q Okay. Can we -- is that all you wanted to
10 say? Because we have a ton of stuff to cover. 10:19:44

11 A I just want to make sure because we did
12 modify the machine to be able to spray other new
13 products, new coating materials.

14 Q Fine. Okay. Did you wear a mask or visor
15 or goggles or a hood at SpaceX? 10:20:14

16 A Just my regular glasses.

17 Q Did you use any breathing protection?

18 A No.

19 Q Other than yourself, did any employees of
20 SpaceX ever have a work-related injury or illness? 10:20:27

21 MS. LI: Calls for speculation.

22 THE WITNESS: I don't know that.

23 BY MR. CATALONA:

24 Q Did any employees of SpaceX ever complain
25 about exposure to any chemicals? 10:20:39

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1 A I don't know that.

2 Q Are you aware of any workers' compensation
3 claims by other SpaceX employees regarding exposure to
4 chemicals?

5 A I don't know that. 10:20:52

6 Q Are you aware of any lawsuits by other
7 SpaceX employees regarding exposure to chemicals?

8 A I don't know that.

9 Q Do you know why you have not sued the
10 manufacturers of the chemicals that you were allegedly 10:21:06
11 exposed to such as HumiSeal and Arathane?

12 MS. LI: I'm going to object based on
13 attorney-client privilege. It's my custom and
14 practice to talk to my client about the theory of the
15 case, and I'm going to object based on the fact that 10:21:20
16 it's unfair and prejudicial to ask a layperson to come
17 up with a legal theory.

18 As a result, I'm going to instruct you not
19 to answer.

20 BY MR. CATALONA: 10:21:35

21 Q Other than anything your attorney told you,
22 do you have any information or knowledge why you did
23 not sue the manufacturers of HumiSeal and Arathane or
24 any chemicals that you were allegedly exposed to?

25 A Why didn't I sue the chemical company? 10:21:53

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1 Q Yes.

2 A I'm not a chemistry. I don't know what the
3 chemics have in it. How do I can come up with why? I
4 don't know that. I'm not educated in that area. It's
5 not my area of expertise.

10:22:13

6 Q What was your job title at SpaceX?

7 A Equipment specialist.

8 Q So back to my last question, you were saying
9 that you don't know why you didn't sue the chemical
10 companies because chemistry is not your area of
11 expertise?

10:22:42

12 A Correct.

13 Q Is there any other reason why you didn't sue
14 them?

15 A I'm not a lawyer. I don't know what it
16 takes to -- I'm not a doctor. I'm not a lawyer. I
17 don't know what it takes. I don't know how that
18 works.

10:22:51

19 Q Okay. Did your job title ever change?

20 A Yes. They changed it to technician.

10:23:05

21 Q Anything else?

22 A Not that I know.

23 Q Did your job duties change at SpaceX?

24 A No. Just the title changed.

25 Q Okay. What was the typical day for you at

10:23:18

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1 area, did you set up the machine and hit go and then
2 it ran and you didn't have to be in the conformal
3 coating area while it was doing what it was doing?

4 A No. My job was to program the machine, not
5 to run the machine. To program the machine so the
6 operators can run the machine.

10:25:03

7 Q Oh, so you were never an operator?

8 A No. I was not an operator.

9 Q And the operators actually worked inside the
10 room?

10:25:16

11 A The operators worked inside the room.

12 Q So you didn't have to work inside the room
13 since you were not a operator?

14 A Most of the time, it would take up to eight
15 to ten hours to develop a program. So you have to be
16 there to do the work inside the room, inside the
17 machine itself. The way the machine is built, by
18 nature it has flaws. You cannot program the machine
19 on offline programming such as other CNC machines,
20 pick and place machines, or other where you can do
21 most of your programming offline or what they call
22 offline or at your work station and bring the machine
23 or transfer machine over to the -- the program over to
24 the machine and fine-tune it there.

10:25:27

10:25:48

25 The problem with the PVA350, it doesn't have

10:26:04

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1 a platform or a software to aid you to allow you to do
2 your rough work at your computer and transfer it over
3 to the machine and then fine-tune it. Here, you're
4 dependent on a human factor.

5 Q What's the dimension of the conformal 10:26:21
6 coating room?

7 MS. LI: Which one?

8 BY MR. CATALONA:

9 Q The conformal coating room that was inside
10 the first room and the conformal coating room that was 10:26:29
11 inside the second room. Or were they different?

12 MS. LI: Compound. Go ahead.

13 THE WITNESS: Okay. Let's make something
14 clear. We're talking about the first-floor room? The
15 first-floor room, it would have been 12 by 18 10:26:47
16 footprint. That's an estimate.

17 BY MR. CATALONA:

18 Q Okay. The first-floor room was 12 feet by
19 18 feet.

20 A The conformal coating room. 10:27:01

21 Q Oh, the conformal coating room was 12 feet
22 by 18 feet.

23 A Yes. It was a small room. It was
24 encapsulated inside another room which was a little
25 bit bigger room. Would have been probably -- I don't 10:27:12

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1 know. I don't want to say something that I don't
2 know.

3 Q So the conformal coating room was 12 feet by
4 18 feet.

5 A Guesstimate. 10:27:25

6 Q And how big was the conformal coating room
7 in the production --

8 MS. LI: Floor.

9 BY MR. CATALONA:

10 Q -- floor, which is also the second room? 10:27:35

11 A Bit bigger. I don't want to give you a
12 wrong number; so I don't want to guesstimate.

13 Q About how much bigger was it than 12 feet by
14 18 feet?

15 A It was bigger. 10:27:51

16 Q Twice as big or less than twice as big?

17 A It was big.

18 Q What equipment was in the conformal coating
19 room in the first room that you worked in?

20 A We already -- 10:28:06

21 Q Okay. So all the equipment that you already
22 talked about was actually inside the conformal coating
23 room?

24 A The first one. And then when we moved to
25 the second floor to expand our production 10:28:17

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1 capabilities, we add some equipment, that station that
2 I told you about it and the filtration system that I
3 told you about it and the PCB rack that I told you
4 about.

5 Q Okay. Okay. So all the equipment that 10:28:28
6 we've already talked about, that was inside the
7 conformal coating room. It wasn't outside the
8 conformal coating room; right?

9 A It was inside the conformal coating room.

10 Q And that's true for both of the conformal 10:28:43
11 coating rooms that you talked about, the one on the
12 first room and then the one on the production floor.
13 All the equipment was inside the conformal coating
14 room.

15 A Let me see if I follow your question. On 10:28:58
16 the first floor, we have the conformal coating
17 machine, we have some equipment; and then when we move
18 to the second floor, we have whatever we had on the
19 first floor plus some other equipment that I just
20 described we purchased. 10:29:12

21 Q Right. And what were the types of things
22 you had to do inside the conformal coating room in
23 either location where it was?

24 A Programming.

25 Q Okay. Anything else? 10:29:46

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1 A That was the main part of my job to get a
2 board, set up the board inside the machine, make sure
3 the pattern is correct, that the coating is correct,
4 do a dry run, do a wet run, make sure to put my head
5 inside there and check the thickness of the layer, 10:30:08
6 clean it up, rerun it again until I got the desired
7 thickness and width. Because it varies. The spray
8 valve has an adjustment that it can change the width
9 and the thickness of the conformal coating. So you
10 have to fine-tune it. 10:30:31
11 And then in order for you to fine-tune it,
12 the machine has to switch to bypass the door so you
13 can access. There is no other way to program the
14 machine, unfortunately. You have to eyeball it. And
15 you have to stick your head in there and look inside 10:30:48
16 and make sure that your spraying head is parallel with
17 the board and see where the board starts and where it
18 ends and then do the same thing to the board.
19 Then you will run a dry run, which that only
20 goes through movements. And then you go through a wet 10:31:07
21 run, and the machine starts to spray. Then what you
22 do is you get a wet gauge to make sure what the
23 thickness of the film is to verify that you have been
24 accurate. We're talking about 1.5 thousandths of an
25 inch. So it was very thin mist of material. 10:31:30

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1 Q What you just described was what you did
2 60 percent of the time as part of your job; right?

3 A That along with the designing some fixtures
4 for the machine and so forth, yes. But I was the main
5 support for that machine. 10:31:51

6 Q And that was sort of your job as far as the
7 conformal coating work that you did; right?

8 A It became my job.

9 Q When did it become your job?

10 A When I start working there, they saw me that 10:32:04
11 I --

12 Q So immediately after you started working
13 there, that was your job.

14 A Yes. The reason I was --

15 Q I didn't ask a question. I need to cover a 10:32:16
16 lot of ground. I know you want to explain things, but
17 we'll get to everything. Okay?

18 A I understand, but I just don't want to be
19 misunderstood. The reason they hired me was to be a
20 equipment specialist looking forward to purchase a new 10:32:31
21 assembly line for SMT.

22 Q That's fine. I didn't ask that. I will ask
23 the questions, and we'll go through this
24 systematically. I want to cover a lot of ground.
25 Okay? 10:32:47

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1 Q Do you know them by name?

2 A No. I wouldn't be able to tell you.

3 Q Do you know if they were kept in containers?

4 A They came from the manufacturer, I think, in

5 one gallon or something like that. I don't remember 10:35:11

6 the package.

7 Q Weren't they in metal cans?

8 MS. LI: All of them?

9 BY MR. CATALONA:

10 Q Any of them? 10:35:22

11 A I don't remember, to be honest. I don't

12 remember.

13 Q Where were the chemicals kept?

14 A We had a chemical cabinet inside the

15 conformal coating room. 10:35:39

16 Q Inside the cabinet, do you remember what

17 they were contained in?

18 A I don't remember.

19 Q The chemicals that were in the baths, do you

20 know what chemicals those were? 10:35:52

21 A At first, no, I didn't. Afterwards, I find

22 that out, but it had nothing to do with the PVA350.

23 Q I know. But it was there; so I'm going to

24 ask questions about that.

25 A I understand. 10:36:11

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1 different, this is different. I cannot go into my
2 head.

3 Q Just tell me. I mean, if you can't do it,
4 that's fine.

5 A No, I don't --

6 MS. LI: He already said that he can't do
7 it.

8 BY MR. CATALONA:

9 Q If you can't do it, that's fine. What I'm
10 trying to -- "I don't know" is a perfectly acceptable 10:39:45
11 answer.

12 A I don't know.

13 Q I'm asking you looking at the picture, can
14 you tell me anything in that picture that's different
15 from the one you used? 10:39:53

16 MS. LI: Objection. Asked and answered and
17 harassing the client. And lacks foundation.

18 THE WITNESS: I don't know.

19 BY MR. CATALONA:

20 Q Okay. That's fine. The one that you used, 10:40:07
21 were there lights inside of the machine?

22 A No.

23 (Exhibit 5, Exhibit 6, and Exhibit 7 were
24 marked for identification.)

25 ///

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1 Q Yes. Your attorney gave us the one --

2 A I don't know.

3 Q It's Exhibit 7. Why did you provide that?

4 That's about the PVA650.

5 MS. LI: Objection. Calls for

10:42:11

6 attorney-client privilege, work product.

7 THE WITNESS: I don't know.

8 BY MR. CATALONA:

9 Q Did you ever work with the PVA650?

10 A I was trained.

10:42:20

11 Q Do you know if you were trained on a PVA650?

12 A I just said I was trained.

13 Q On the PVA650?

14 A Correct.

15 Q Okay. Did you ever work at SpaceX on a

10:42:32

16 PVA650?

17 A No.

18 Q When was the first time you used the PVA350

19 at SpaceX?

20 A It would have been within the first few

10:42:46

21 weeks after I start my employment.

22 Q And there was only one PVA350 at SpaceX?

23 A Correct.

24 MS. LI: Objection. Lacks foundation, calls

25 for speculation.

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1 MS. LI: Overly broad. Go ahead.

2 THE WITNESS: It's a machine.

3 BY MR. CATALONA:

4 Q What kind of machine?

5 A Conformal coating machine. 10:44:19

6 Q What are its dimensions?

7 A I don't know the dimensions.

8 Q Is it 2 feet wide by 2 feet long?

9 A I don't know the dimensions.

10 Q Could you walk inside of it? 10:44:33

11 A No. You can stick your head inside it.

12 Q Is that -- okay. You can't walk inside of
13 it?

14 A No. You have to -- you're able to stick
15 your head inside there to do the programming, but to 10:44:46
16 walk inside there, no.

17 Q Was the PVA350 connected to a computer?

18 A Can you specify.

19 Q Was the PVA connected to a desktop computer?

20 A I believe it was. But I'm not quite 10:45:17

21 100 percent certain.

22 Q How did you program it?

23 A Via handheld controller.

24 Q How big was the handheld controller?

25 A I don't know the dimensions. 10:45:36

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1 Q What kind of interface was it?

2 A It was through a wire interface.

3 Q Did it have keys on it?

4 A Had buttons and a tracking ball.

5 Q Did it have a touch screen? 10:45:50

6 A No. It was a very rudimentary type of
7 interface.

8 Q And was there a screen that the tracking
9 ball would have you guide a cursor around?

10 A Oh, gosh. No. That, you're talking about 10:46:06
11 high tech. This is not something.

12 Q Please list all the different materials that
13 were used with the PVA350.

14 MS. LI: Objection. Lacks foundation, asked
15 and answered. 10:46:21

16 Go ahead.

17 THE WITNESS: I don't know all the materials
18 that were used.

19 BY MR. CATALONA:

20 Q Do you know any of them? 10:46:26

21 A I know the ones you mentioned earlier.

22 Q What did I mention?

23 A You mentioned some materials.

24 Q I don't think I did.

25 A You don't think you did? Then I don't know. 10:46:38

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1 it?

2 MR. CATALONA: Anything.

3 MS. LI: Overly broad.

4 BY MR. CATALONA:

5 Q I'm going to ask all those questions. Don't 10:47:53
6 worry. I'm asking a simple question. Did the PVA350
7 have ventilation?

8 MS. LI: Objection. Vague and ambiguous and
9 overly broad.

10 THE WITNESS: Ventilation as a fan? 10:48:06

11 Ventilation as a suction duct? Ventilation as a --

12 BY MR. CATALONA:

13 Q Anything. What did it have?

14 MS. LI: Same objections. Go ahead.

15 THE WITNESS: We're talking about on the 10:48:16
16 first floor? Second floor? Before, after it was
17 moved?

18 BY MR. CATALONA:

19 Q Did it change? Did the ventilation change?

20 A Yes. 10:48:25

21 Q Okay. What did it start out with and how
22 did it change?

23 A It was a manual switch on the first floor.

24 Q That's the switch. I'm talking about the
25 ventilation. 10:48:36

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1 A That's the switch to turn on the
2 ventilation.

3 Q Okay. Let's ignore the switch for a second.
4 What was the ventilation?

5 A I don't know. I know it was a switch for 10:48:43
6 the ventilation.

7 Q Did it have, like, piping or tubes?

8 A I don't remember.

9 Q Okay. So it could have had ventilation, you
10 just don't remember? 10:48:58

11 MS. LI: Objection.

12 THE WITNESS: It could have.

13 MS. LI: Misstates his statement.

14 THE WITNESS: I don't know.

15 MS. LI: Wait for my objection before you 10:49:02
16 answer. Okay?

17 BY MR. CATALONA:

18 Q And do you remember if it had ventilation in
19 the second room?

20 MS. LI: Same objection as to vague and 10:49:15
21 ambiguous and overly broad.

22 THE WITNESS: I was not part of the move
23 with the machine, as I stated before. So I don't
24 remember if a ventilation was installed.

25 MS. LI: Can we take a break? I want to 10:49:44

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1 take a break.

2 MR. CATALONA: Okay. Can we do another
3 quick break? We're not going very fast.

4 THE VIDEOGRAPHER: The time is 10:48 and
5 we're going off the record. 10:49:57

6 (A recess was taken.)

7 THE VIDEOGRAPHER: The time is 11:01 and
8 we're back on the record.

9 BY MR. CATALONA:

10 Q Okay. We were talking about the ventilation 11:02:01
11 for the PVA350. Do you remember if it had any kind of
12 piping or duct work or anything like that that
13 ventilated the machine or possibly the conformal
14 coating room?

15 MS. LI: Objection. Vague and ambiguous as 11:02:19
16 to which room. Are you talking about the machine that
17 was in the first room or the second room?

18 MR. CATALONA: Either one.

19 MS. LI: Compound. Go ahead.

20 THE WITNESS: Okay. In the first room -- 11:02:32

21 BY MR. CATALONA:

22 Q Yeah.

23 A -- we had a ventilation system that's
24 manually switched off and on.

25 Q How about the second room? 11:02:42

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1 A In the second room, I later found out when
2 they moved the machine to the second room to have an
3 automated ventilation system that it was on all the
4 time.

5 Q And so there was piping from the machine 11:02:58
6 outside of the work area?

7 A Correct.

8 Q And that was true for both the first room
9 and the second room?

10 A The first room, let me see. The first room 11:03:16
11 had a manual switch that you have to turn off and on.

12 Q I got that. I'm just asking about the
13 piping.

14 A Yeah. It was connected to the exhaust, yes.

15 Q Okay. And so the air was piped out of the 11:03:32
16 conformal coating room and out of SpaceX?

17 A I don't know what it was ducted to. I don't
18 know.

19 Q And that was true for both rooms.

20 A Correct. 11:03:53

21 Q So can I call the first room that you were
22 in that had the PVA350 the first conformal coating
23 room and the later one the second conformal coating
24 room? Does that make sense?

25 A If that's what you want to do. 11:04:09

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1 A Besides the ducting, if it was -- not that I
2 can remember being, no.

3 Q Okay. That's fine. These are really easy
4 questions.

5 A No, they're not easy questions. 11:07:39

6 Q The second conformal coating room, we
7 already talked about the fact that the PVA350 had an
8 exhaust system. A ventilation system. Now I'm asking
9 did the room have a separate ventilation system
10 besides the one for the PVA350. 11:07:54

11 A I think it had positive pressure.

12 Q Positive pressure what?

13 A System.

14 Q Okay. And that was a ventilation system?

15 A I don't know if that's considered a 11:08:37
16 ventilation system or not.

17 Q Well, okay. What happened if you opened the
18 door to the PVA350 in the first conformal coating room
19 and it was in operation?

20 A What will happen? 11:08:56

21 Q Yes.

22 A It depends.

23 Q Okay. Tell me the different things that
24 could happen.

25 A No. It depends on the circumstance when you 11:09:03

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1 for the PVA350?

2 MS. LI: Asked and answered.

3 THE WITNESS: Can you reword the question.

4 BY MR. CATALONA:

5 Q Do you know what the safety switch is? 11:11:31

6 A I know --

7 Q Do you know what the safety switch is for
8 the PVA350?

9 MS. LI: Asked and answered.

10 THE WITNESS: I'm getting confused here 11:11:49
11 because I know what a safety switch is.

12 BY MR. CATALONA:

13 Q Do you know if the PVA350 had a safety
14 switch?

15 A A safety switch can be -- it's a wide 11:11:56
16 variety of switches. I don't know whether this safety
17 switch that you're referring to, if it was there, if
18 it was there, what it looked like. That's what I'm
19 trying to tell you.

20 Q Did it have one or not? 11:12:08

21 A I don't know.

22 Q Okay. If you wanted to bypass the safety
23 mechanisms, how would you do that?

24 A Stick a key and put it in the bypass mode.

25 Q And why did you do that? 11:12:39

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1 A To program the machine.

2 Q And when you programmed the machine, you
3 weren't supposed to operate the machine; right?

4 A What do you mean by that?

5 Q When you programmed the machine, that was 11:12:57
6 before you would operate the machine; correct?

7 MS. LI: Objection. Vague and ambiguous as
8 to "operate."

9 THE WITNESS: Can you reword the question,
10 please. 11:13:10

11 BY MR. CATALONA:

12 Q When you programmed the machine, you weren't
13 supposed to operate it at the same time; correct?

14 MS. LI: Objection. Vague and ambiguous as
15 to "operate." 11:13:23

16 THE WITNESS: Operate is part of the
17 programming.

18 BY MR. CATALONA:

19 Q Could you answer the question.

20 MS. LI: He did. 11:13:36

21 BY MR. CATALONA:

22 Q I think it's a yes-or-no question.

23 A I just did.

24 Q So you were supposed to operate the machine
25 when you were programming it? 11:13:44

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1 prior question. Let him finish.

2 MR. CATALONA: What was the prior question?

3 (Record read as follows:

4 "QUESTION: So that is not

5 correct?")

11:15:21

6 BY MR. CATALONA:

7 Q Yes or no.

8 A That is not correct because then you have to

9 move it and adjust your head inside there to do the

10 programming as part of what your training is at PVA.

11:15:31

11 That's what they taught us how to do it.

12 Q Are you a computer programmer?

13 A A computer programmer? No. I'm an

14 equipment programmer.

15 Q Can you write software code?

11:15:40

16 A No.

17 Q Did you ever complain to anyone at SpaceX

18 about how the PVA350 was operated?

19 A What do you mean by that?

20 Q Any kind of complaint. For instance,

11:15:59

21 regarding your safety.

22 MS. LI: It's vague. Go ahead.

23 THE WITNESS: I have no reason to complain.

24 BY MR. CATALONA:

25 Q So you didn't?

11:16:10

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1 A Not that I remember, no. I remember -- no.

2 Not that I remember, no.

3 Q Did you ever read the manual for the PVA350?

4 A I don't think the manual was available.

5 Q Do you remember ever looking at the manual? 11:16:48

6 MS. LI: Asked and answered.

7 THE WITNESS: Have I ever looked at the

8 manual?

9 BY MR. CATALONA:

10 Q No. That's not what I asked. Did you ever 11:17:04

11 look at the manual for the PVA350?

12 MS. LI: Asked and answered. Go ahead.

13 THE WITNESS: I just said it was not

14 available. The manual was not available.

15 BY MR. CATALONA: 11:17:16

16 Q Did you ever look at it anywhere, perhaps at

17 PVA?

18 MS. LI: Same objections.

19 THE WITNESS: For the 350? No.

20 BY MR. CATALONA: 11:17:26

21 Q For the PVA350. So your testimony is you've

22 never looked at the manual for this machine that you

23 were operating for over a year?

24 A No.

25 Q Is that correct? 11:17:38

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1 A Correct.

2 Q And you never read the manual for the PVA350
3 when you did training at PVA?

4 A I went for a different equipment.

5 Q Okay. I just want to get this straight. 11:17:54
6 You worked on this piece of equipment for, what,
7 18 months and you never looked at the manual?

8 MS. LI: Objection. Asked and answered.
9 Now it's harassing and argumentative.

10 I'm instructing you not to answer. The 11:18:12
11 question has been asked three times.

12 MR. CATALONA: You're ruining the record.
13 We don't have a clear record because the answers are
14 ambiguous. So I need an actual yes or no answer.

15 MS. LI: It is not ambiguous. He already 11:18:26
16 testified I think three times about he hasn't read --

17 MR. CATALONA: No. He just said it wasn't
18 available. He won't give a straight answer on this.
19 I need a straight answer.

20 BY MR. CATALONA: 11:18:38

21 Q Is it true that you have never looked at the
22 manual for the PVA350 at any time in your life?

23 A I have never.

24 Q Okay. Thank you. Did you ever think that
25 the manual might have instructions in it that were 11:18:55

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1 important to operate the PVA350?

2 A What do you mean by that?

3 Q For instance, it would tell you how to
4 operate it.

5 A I learned how to operate it while I was at 11:19:13
6 PVA.

7 Q I didn't ask that. Did you think that the
8 manual would have instructions for how to operate the
9 machine?

10 A The machine is similar in the platform as 11:19:24
11 the 650. The programming process is the same.

12 Q You said you didn't -- you never used the
13 650 --

14 MS. LI: That's not what he said.

15 BY MR. CATALONA:

16 Q -- just a few minutes ago.

17 A I said I went to training for the 650. I
18 just said that. I went to New York for a training for
19 the 650.

20 Q I asked you, you said you didn't know if it 11:19:46
21 was a 650 that you used in New York.

22 A No, no, no. I didn't say that. I said I
23 went to training for the 650 for training for
24 programming and the platform.

25 Q That's different. Okay. 11:19:57

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1 machine?")

2 MS. LI: Same objections.

3 THE WITNESS: And my answer is the 350 and
4 the 650 are similar.

5 BY MR. CATALONA:

11:22:12

6 Q Did you ever read the manual for the PVA650?

7 A I don't believe so.

8 Q Wouldn't you want to read some kind of
9 manual to know how to operate the PVA350?

10 A All the training I had was from PVA. So I 11:22:26
11 relied on PVA knowledge that was transferred to me
12 during my training at New York.

13 Q Didn't they tell you to read the manual?

14 A No.

15 Q Did they say that the manual was unimportant 11:22:39
16 and you never had to read it?

17 A I don't recall them saying that. But they
18 never referred to a manual. They only referred to how
19 to operate the machine itself.

20 Q So if the manual told you how to operate the 11:22:56
21 machine safely, you would have no idea about that;
22 right?

23 MS. LI: Objection. Lacks foundation,
24 argumentative, improper hypothetical. He's a lay
25 witness.

11:23:16

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1 MS. LI: No. I need to object. Your
2 questions are not proper. You could ask a better
3 question. So I need to object to the question.

4 What was the question?

5 MR. CATALONA: No. No. I'm not going to 11:24:08
6 waste more time with that. I'll ask another question
7 and you can say an objection.

8 BY MR. CATALONA:

9 Q If the manual told you how to operate the
10 machine safely, you wouldn't know anything about that; 11:24:21
11 correct?

12 MS. LI: Objection. Lacks foundation,
13 assumes facts not in evidence. It's argumentative.

14 Go ahead.

15 THE WITNESS: I relied on the information 11:24:34
16 that was given to me during my training at PVA.

17 BY MR. CATALONA:

18 Q And you didn't rely on anything in the
19 manual?

20 A I relied on the information that was given 11:24:45
21 to me during my training at PVA.

22 Q Not the manual.

23 A I relied --

24 Q You're not answering the question. I'm
25 asking about the manual. 11:24:57

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1 questions. Okay?

2 BY MR. CATALONA:

3 Q Did the manual say anything about safety?

4 A And I just respond to you all the
5 information they taught me at PVA headquarters, I
11:26:04

6 apply the same knowledge to do the programming on the
7 machine. They taught us how to load the board, they
8 taught us how to program the board, they taught us how
9 to handle the machine.

10 Q I got all that. I'm not asking about that.

11:26:23

11 I'm asking about the manual.

12 A I don't know. You're asking something that
13 I don't know.

14 Q Okay. That's fine. Say, "I don't know."

15 A You're asking --

11:26:30

16 Q Did the manual say anything about safety?

17 MS. LI: Objection. Lacks foundation,
18 argumentative --

19 BY MR. CATALONA:

20 Q Do you know or not?

21 MS. LI: Let me finish. Okay. Another
22 question. Asked and answered, argumentative,
23 harassing the witness, lacks foundation, and calls for
24 speculation.

25 You can answer one more time and we'll move

11:26:52

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1 Q If the manual said, "Do not bypass the
2 safety mechanisms," you wouldn't know that because you
3 didn't read the manual.

4 MS. LI: Same objections.

5 THE WITNESS: So I did what I was taught to
11:28:35

6 do.

7 BY MR. CATALONA:

8 Q That's not what I asked. I said if the
9 manual said, "Do not bypass the safety mechanisms,"
10 you would not know that because you did not read the
11:28:51

11 manual; correct?

12 MS. LI: Same objections.

13 BY MR. CATALONA:

14 Q Is that correct?

15 MS. LI: Same objections.

11:28:57

16 THE WITNESS: I don't know.

17 BY MR. CATALONA:

18 Q Okay. Was the PVA350 ever modified when you
19 worked at SpaceX?

20 A Yes.

11:29:16

21 Q Tell me all the different modifications to
22 the PVA that happened at SpaceX.

23 A I'm going to tell you what I remember.

24 Q That's fine.

25 A We modified the machine so it can spray the

11:29:30

1 different coating material.

2 Q So just one modification?

3 A It's one modification that encumbers a lot
4 of parts with that modification.

5 Q And that happened one time?

11:29:49

6 A As far as I remember, yes.

7 Q When did that happen?

8 A Let me think about this. It's quite some
9 time ago. Probably about the first quarter of 2012.
10 Approximately.

11:30:46

11 Q So in January, February, or March of 2012.
12 That's what you mean by first quarter; right?

13 A Yeah. Sometimes that or could be a little
14 bit later.

15 Q That's your best estimate; correct?

11:31:00

16 A A guesstimate, yes.

17 Q Is it a guess or is it an estimate?

18 A It's an estimate.

19 Q It's your best estimate; correct? Correct?

20 A As far as I can remember.

11:31:16

21 Q Thank you. Who at SpaceX decided to make
22 this modification?

23 A I don't know who decided to make that
24 modification.

25 Q Were you there when they did the

11:31:28

1 modification?

2 A I did the modification.

3 Q And the modification was done at SpaceX?

4 A With the support of PVA.

5 Q Who at PVA was there when this modification

11:31:45

6 was done?

7 A The support was via phone, I believe.

8 Q Who was on the phone?

9 A I don't know.

10 Q Do you know their names?

11:32:03

11 A No.

12 Q Who helped you do the modification at
13 SpaceX?

14 A Nobody.

15 Q How long did the modification take to do?

11:32:11

16 A You mean time-wise?

17 Q Yeah.

18 A From finish to end, it's hard to estimate
19 because it was in stages.

20 Q More than one day?

11:32:32

21 A I don't know the exact time it took.

22 Q Was it more than one day?

23 A You mean working without stop? Or one day
24 over calendar day, 24 hours of work? Can you specify
25 by "one day."

11:32:57

1 A I don't know.

2 Q So the machine was out of commission this
3 entire time that it was being modified?

4 A No.

5 Q And what exactly did you do to the machine
11:33:51

6 to modify it?

7 A I install some hardware.

8 Q What hardware?

9 A I don't remember the list of hardware by
10 heart. I don't remember the exact part by part by
11:34:14

11 part.

12 Q How about any? Can you remember any of it?

13 A Yeah. I installed two canisters. One
14 canister -- I don't remember the name of the parts; so
15 I don't want to speculate that.

11:34:30

16 Q So two canisters. Do you remember any other
17 parts that you installed?

18 A A pressure tank.

19 Q Anything else?

20 A Tubing.

11:34:43

21 Q Anything else?

22 A I think two valves.

23 Q Two valves?

24 A Uh-huh. Yes.

25 Q Anything else?

11:35:05

1 A Not that I can remember right now.

2 Q Was any software for the machine changed at
3 all when you did the modification?

4 A No.

5 Q So the only modification was changing some
11:35:19

6 of the parts on the outside of the machine?

7 A Not changing. Adding.

8 Q Adding parts to the machine?

9 A Correct.

10 Q And you didn't do any other modifications to
11:35:31

11 the machine other than this one modification that we
12 just talked about; right?

13 A As far as I can remember, yes.

14 Q Okay.

15 When you were in your workers' comp case and
11:35:45

16 you asked for the MSDS sheets, did you ask for all of
17 the chemicals that you used at SpaceX or just the
18 chemicals that were used with the PVA350?

19 A Can you reword the question again, please.

20 Q When you asked for the MSDS sheets in your
11:36:06

21 workers' comp case, were you asking for MSDS sheets
22 for all the chemicals you used at SpaceX or just the
23 chemicals that you used with the PVA350?

24 A Did I ask to whom?

25 Q You asked your HR person at SpaceX to e-mail

11:36:21

1 the MSDS sheets for the chemicals that you worked
2 with. Do you remember that?

3 A Correct.

4 Q And did you ask for MSDS sheets for all the
5 chemicals that you worked with at SpaceX or just the
11:36:41

6 chemicals that you used with the PVA350?

7 A If I remember correctly, to the best of my
8 recollection, I called a coworker to find out what was
9 the chemical used in the wash area. I don't remember
10 whether he offer to give me the name of the rest of
11:37:05

11 the chemicals on the conformal coating area. That was
12 how I got the list of those chemicals.

13 Q Okay. I'm going to attach these MSDS sheets
14 as exhibits.

15 MS. LI: Are you okay?

11:38:01

16 THE WITNESS: No. I'm not doing good.

17 MS. LI: Do you want to take a break?

18 THE WITNESS: Yeah. Can we take a break
19 while you're --

20 MR. CATALONA: Yeah. Can we please make it

11:38:15

21 a short break. The last break was very long.

22 MS. LI: It was only ten minutes.

23 THE VIDEOGRAPHER: The time is 11:37 and
24 we're going off the record.

25 (A recess was taken.)

11:41:45

1 Q Which of these chemicals on these MSDS
2 sheets did you use in connection with the PVA350?

3 A The HumiSeal, Arathane, that's it.

4 Q HumiSeal and Arathane and that's it? Is
5 that what you said?

11:46:35

6 A The brand? HumiSeal. And from what I can
7 see, the Huntsman Arathane.

8 Q Okay. HumiSeal and Arathane. Is that it?

9 A Let me look at this. Be patient with me,
10 please. My thinking process is not like yours.

11:46:58

11 So alcohol is not part of the 350. The
12 solder wire is not part of the 350. The lead-free
13 flux cored solder is not part of the 350. So that
14 leaves us with the other four MSDS.

15 Q So the Arathane 5750 B(LV) is part of the
11:47:41

16 PVA350?

17 A 57 A/B. Part A and part B.

18 Q There's also one that is Arathane 5750 B.
19 Is that for the PVA350?

20 A Which one are you referring to? These two?
11:48:02

21 Part A and part B?

22 Q This one.

23 A As far as I know, these are the same, part A
24 and part B. These two are the same. These two are
25 the same.

11:48:20

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1 Q Any parts or any things that you would wash
2 in the chemical baths or the chemical washes.

3 A Okay. Now we're talking about two different
4 entities. Chemical baths were right next to my work
5 station. Okay?

11:51:34

6 Q Right.

7 A Those were used -- they were separate. Two
8 separate.

9 Q That's fine. I totally understand that.

10 A Their technicians use is alcohol to wash

11:51:43

11 the assemblies and subassemblies. Electronic
12 assemblies, subassemblies. Okay? That's what they
13 did there. I personally never washed any parts. I
14 just happened to sit right next to the bath wash area.

15 Q I've read your deposition transcripts from
11:52:19

16 your workers' compensation case, and you talked about
17 the chemicals you used at SpaceX when you were
18 deposed. Do you remember that?

19 A It's been a long time. I don't remember the
20 entire thing, no.

11:52:36

21 Q You don't remember that. Okay. We're going
22 to talk about that.

23 A Are we done with this?

24 Q Yes. We can put those there.

25 Actually, I may have given you the wrong

11:52:49

1 A When the operator runs a program.

2 Q And you said at SpaceX that this did not
3 happen because they would bypass the safety switch.
4 Who were you talking about when you said they would
5 bypass the safety switch?

11:58:32

6 MS. LI: No. Sorry. It says, "Somebody
7 will bypass the safety switch."

8 BY MR. CATALONA:

9 Q Wait a minute. Who is this somebody that
10 bypassed the safety switch?

11:59:01

11 A The operator.

12 Q And why would the operator bypass the safety
13 switch?

14 A I'm not them. You have to ask them that
15 question.

11:59:12

16 Q And then so did you ever bypass the safety
17 switch?

18 A Part of my job is to bypass the safety
19 switch to do programming.

20 Q You said that -- they said -- strike that.

11:59:36

21 The question was:

22 "The machine would operate
23 while -- "

24 And the answer was:

25 "While you open it, while it's

11:59:49

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1 still open, which is hazardous.

2 But that's the way they work."

3 So why did you say that?

4 A Could you reword the question.

5 Q You said that it would operate while it's

12:00:06

6 still open, which is hazardous. What did you mean by
7 that?

8 A When you open it, it will still -- doesn't
9 make sense. I don't know.

10 Q So it wasn't hazardous to operate the

12:00:31

11 machine while the door was open?

12 A No. Not that I know. Because we did that
13 in PVA training, and it was -- I was under the
14 impression it was okay.

15 Q Then why did you say it was hazardous?

12:00:50

16 MS. LI: Vague, ambiguous as to time.

17 THE WITNESS: I don't know. But as far as I
18 know, when you do programming, you have to open the
19 door and do the programming, and that's what I -- they
20 did that in PVA. That's how I was taught.

12:01:07

21 BY MR. CATALONA:

22 Q And you said, "that's the way they work."

23 Who worked that way?

24 A PVA.

25 Q But you never mentioned PVA at your

12:01:21

1 deposition.

2 MS. LI: Argumentative. Do not answer that.

3 BY MR. CATALONA:

4 Q In this deposition transcript, who are you
5 referring to when you said, "that's the way they

12:01:40

6 work"?

7 MS. LI: Asked and answered. Objection.

8 BY MR. CATALONA:

9 Q You see on line 20?

10 A 20?

12:01:52

11 Q Line 20. "But that's the way they work."

12 Who are you referring to? Line 20.

13 MS. LI: Objection. Assume that it's a
14 person. Lacks foundation.

15 BY MR. CATALONA:

12:02:13

16 Q Can you answer the question.

17 A I'm trying to think. Give me a second,
18 would you? That's the way PVA works.

19 Q And why was that hazardous?

20 MS. LI: Objection. Vague and ambiguous as

12:02:50

21 to time when he made that statement wherever or
22 currently or at the time that he was actually using
23 the PVA.

24 THE WITNESS: To the best of my

25 recollection, that's hazardous because that could

12:03:08

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1 injure somebody if they put their hand in there or
2 something.

3 BY MR. CATALONA:

4 Q So it's not about breathing the material?

5 A I never had that impression.

12:03:21

6 Q And you still don't have that impression
7 today.

8 A I don't have a background in chemistry. So
9 I wouldn't know whether a chemical was harmful or not.
10 I was under the impression that it was okay to work

12:03:36

11 with chemicals based on the training that I acquired
12 from PVA.

13 Q And you still think it's okay. You think it
14 was safe, everything that happened to you.

15 A I have no other reason to believe that there

12:03:47

16 was not.

17 MS. LI: Objection. Vague and ambiguous as
18 to time. Are we talking about today?

19 MR. CATALONA: Yes.

20 MS. LI: Or back then?

12:03:55

21 MR. CATALONA: I'm talking about today.
22 That's what I said.

23 MS. LI: Okay. Then please put a time frame
24 because his brain is not really -- we were talking
25 about the deposition which was taken on March 30,

12:04:02

1 THE WITNESS: When we first -- I first
2 approached my manager to get new equipment was to
3 satisfy our production and including to have more
4 features that will help us to warn the operator.
5 Okay? That was the main purpose of the request.

12:07:33

6 BY MR. CATALONA:

7 Q Okay. The testimony was, beginning at
8 line 11:

9 "For a couple of minutes or up to
10 a couple, half an hour or hour or

12:08:01

11 so. The only problem with that
12 is the equipment. They bypass
13 the emergency switch; so
14 sometimes you have to open it.
15 And in normal conditions, it

12:08:12

16 should have shut down, not allow
17 you to work on the machine. But
18 somebody will bypass the safety
19 switch.

20 "QUESTION: So what does that

12:08:21

21 mean? The machine would operate
22 while --

23 "ANSWER: While you open it.
24 While it's still open, which is
25 hazardous. But that's the way

12:08:31

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1 they work.

2 "QUESTION: You never got hurt or
3 anything on the machine.

4 "ANSWER: No. I did a request to
5 operate the equipment in there,

12:08:37

6 but it never went over. I
7 approved with my then-manager to
8 look into acquiring new equipment
9 for safety."

10 So the safety equipment you were trying to

12:08:48

11 operate had to do with the fact that somebody will
12 bypass the safety switch; correct?

13 A The safety that I was talking about, this is
14 a standalone machine, meaning you have to reach in
15 there and grab the product and take it out.

12:09:09

16 Q You're talking about the PVA350?

17 A 350. So what I was referring to on this
18 safety issue is there is a more modern version that is
19 a passthrough.

20 Q Okay.

21 A The board goes inside, it comes outside the
22 other side. So I was referring to the safety of not
23 only the operator but overall safety. So that's --
24 and we talk about acquiring the entire production
25 line. And instead of the operator or me as a

12:09:41

Page 128

1 programmer to stick my head or whatever, you put the
2 board in one side of the machine, it comes out on the
3 other side of the machine. Here, it's a standalone
4 machine where you have to --

5 Q Got it.

12:09:58

6 A -- reach inside.

7 MS. LI: Let him finish.

8 BY MR. CATALONA:

9 Q That makes total sense. So it had nothing
10 do with the exhaust or the fact that the alarm system

12:10:06

11 wouldn't operate. It was about hurting your hand?

12 A It has to do with both. It was part of when
13 you upgrade, you want to consider everything, not just
14 one. It's like when you purchase a car, you don't
15 just purchase a car just to have four wheels. You

12:10:32

16 purchase a car that you may be able to have new
17 technology in it. You purchase a car based on what
18 your needs are. When we purchase a car, when we're
19 looking at this particular upgrade, we were looking at
20 the overall picture. Not only the safety but other

12:10:46

21 elements.

22 Q Right. And the other elements had to do
23 with the exhaust.

24 A Correct.

25 Q Right. And you said on page 52:

12:11:03

1 Q Okay. Turn to page 53. The testimony
2 begins at line 18. You said:

3 "No. Almost every time you bleed
4 the lines because since it's a
5 mist, you can't really see if

12:14:13

6 you're really finished bleeding
7 the machine; so you kind of have
8 to stick your head inside the
9 machine.

10 "QUESTION: This would happen for

12:14:22

11 a moment daily?

12 "ANSWER: Yeah. For a moment.

13 It shouldn't have to be that way,
14 but they bypassed the emergency
15 mechanism."

12:14:35

16 So who bypassed the emergency mechanism
17 besides yourself?

18 A Sometimes I would walk there and the bypass
19 key was on. I don't know who.

20 Q So someone at SpaceX?

12:14:46

21 A I don't know. I'm assuming. I don't know.
22 You're asking me something that I never witnessed. I
23 just...

24 Q You mean SpaceX would just leave the bypass
25 key in there 24/7 and never use it in normal

12:15:01

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1 A Before we went out for lunch break --

2 Q Uh-huh?

3 A -- my Ritalin was wearing off. Ritalin is a
4 drug that I take to help me to concentrate.

5 Backtracking, I was looking -- I was thinking about

01:35:05

6 the question that you asked me regarding the
7 equipment. And I got confused when you said it was
8 hazardous to body parts versus hazardous to the fumes.
9 The main reason we were looking to upgrade our
10 equipment was to have the suction or the exhaust

01:35:31

11 sensor to get rid of the fumes. I didn't know at that
12 time that the fumes were hazardous to humans. That's
13 what I got confused because you went from body parts
14 to fumes.

15 MR. CATALONA: Okay. I'll object. No

01:35:57

16 question pending and leading on the part of
17 Plaintiff's counsel.

18 BY MR. CATALONA:

19 Q So you're saying that everything you said
20 about the hazards of sticking your hand into the

01:36:12

21 machine was just made up?

22 A No. I'm clarifying. Clarifying that you
23 asked me a question regarding being hazardous to body
24 parts.

25 Q And you said when you stick your hand in,

01:36:25

1 MS. LI: What is the thing about the fume
2 that you wanted to get rid of?

3 THE WITNESS: Just the smell.

4 BY MR. CATALONA:

5 Q Okay. Your prior deposition transcript, the
01:37:47

6 testimony on page 49 and page 50, starting with
7 line 24, is:

8 "ANSWER: It's a can" --

9 Wait. Actually, back up. Page 49, line 22.
10 Starting at that line.

01:38:08

11 "QUESTION: On the list given,
12 there's something called thinner
13 527. Do you know what that is?

14 "ANSWER: It's a -- can be used
15 as a cleaning agent, or it's also

01:38:15

16 for coating purposes.

17 "Did you work with this chemical?

18 "Yes.

19 "QUESTION: When?

20 "ANSWER: Through my time with

01:38:22

21 SpaceX.

22 "QUESTION: What did you do with
23 it?

24 "ANSWER: You use that to soak
25 parts to be cleaned."

01:38:34

Page 137

1 THE WITNESS: That I know?

2 BY MR. CATALONA:

3 Q Yeah.

4 A As far as I know, it was to change the
5 viscosity on the HumiSeal and to clean parts, to
01:46:17

6 soak -- to flush the lines on the machine. I just
7 told you the thinner was compatible with HumiSeal. In
8 order for you to spray the chemical, it has to have
9 some certain density. To change the density, you use
10 the thinner. Other than that, I don't know if anybody
01:46:49

11 else uses it anywhere else.

12 Q Okay. So the only ways that you used
13 HumiSeal thinner at SpaceX was flushing the lines,
14 cleaning the parts, and when it was combined with the
15 HumiSeal conformal coating; is that correct?

01:47:10

16 A As far as I know, yes.

17 Q Thank you. Okay. And there was only one
18 kind of HumiSeal conformal coating at SpaceX; correct?

19 A I cannot testify about that.

20 Q Did you use more than one HumiSeal conformal
01:47:33

21 coating at SpaceX?

22 A It's been a while since I worked there. So
23 I don't exactly remember if there were others.

24 Q Okay. So other than the HumiSeal conformal
25 coating and the HumiSeal thinner, were there any other
01:47:58

1 HumiSeal products at SpaceX?

2 A Not that I know.

3 Q And you discussed using the HumiSeal
4 conformal coating material at your prior deposition.
5 Other than using it in combination with the thinner in
01:48:15

6 the PVA350, what other uses did you have for it at
7 SpaceX?

8 A Did I?

9 Q Yes.

10 A None.

01:48:33

11 Q What?

12 A None.

13 Q And in the PVA350, it was sprayed onto PCBs?

14 A Printed circuit boards.

15 Q PCBs are printed circuit boards; correct?

01:48:49

16 A Correct. And PCBAs.

17 Q What's a PCBA?

18 A Printed circuit board assembly.

19 Q So the only things that were used -- strike
20 that.

21 The only products that were put inside the
22 PVA350 were printed circuit boards and printed circuit
23 board assemblies; correct?

24 A To my knowledge, yes.

25 Q And once you had programmed the machine --

01:49:24

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EXHIBIT 3

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1 and I'm talking about the PVA350 -- and the operators
2 were using it, you no longer had contact with the
3 PVA350 until they were finished; correct?

4 A Incorrect.

5 Q So once the machine was being operated by
01:49:46

6 operators, what were you doing with the PVA350?

7 A There is a lot that you have to check so
8 often, the thickness. To be consistent with the
9 thickness of the material.

10 Q Right.

01:50:06

11 A As the tank, the level of the tank goes
12 below a certain level, the machine -- the quantity the
13 machine sprayed onto the boards will vary. So you
14 have to check it periodically to have the consistency.

15 Q And the operators didn't do that?

01:50:32

16 A No. As far as I remember, sometimes they
17 did it, sometimes I go ahead and did it because that
18 was the area it was assigned to me.

19 Q So once the consistency was confirmed and
20 everything was fine, then you were done with that

01:50:53

21 until the operators were done; right?

22 MS. LI: Objection. Vague and ambiguous and
23 misstates the prior testimony.

24 Go ahead.

25 THE WITNESS: There is more into it than

01:51:08

1 just programming. There is fixtures involved.

2 There's not just programming.

3 BY MR. CATALONA:

4 Q I get that. But at some point, the machine
5 is operating and it doesn't need to be programmed

01:51:34

6 anymore; right?

7 MS. LI: Objection. Misstates the prior
8 testimony.

9 Go ahead.

10 THE WITNESS: I just told you sometimes you

01:51:42

11 need to be there.

12 BY MR. CATALONA:

13 Q Sometimes. But sometimes you don't.

14 MS. LI: Objection. Misstates the prior
15 testimony.

01:51:52

16 Go ahead.

17 THE WITNESS: You need to be there.

18 BY MR. CATALONA:

19 Q Sometimes.

20 A Most of the time. Like I said before,

01:51:58

21 60 percent of my time, I spent working with that
22 machine.

23 Q The amount that's sprayed in the machine is
24 how small?

25 A What do you mean?

01:52:14

1 At some point, the operator takes over
2 operating the machine and you don't have to be
3 involved anymore; right?

4 MS. LI: Same objection. Go ahead.

5 THE WITNESS: The main purpose of me being
01:59:28

6 there was to oversee production on that area. I was
7 the primary person to support that area. So it is not
8 completely true what you just stated.

9 BY MR. CATALONA:

10 Q How is it partially true?

01:59:52

11 A That sometimes I have to step out, and when
12 I finish the program, I will turn that over to the
13 operators. However, our company has such a wide
14 variety of assemblies and subassemblies that I was
15 often called back for a new product.

02:00:20

16 Q So you would not stick your head in the
17 machine while it was still operating, would you?

18 MS. LI: Objection. Vague and ambiguous as
19 to "operating." Are you talking about operating by
20 the operator or operating process of programming?

02:00:35

21 BY MR. CATALONA:

22 Q No. I mean actually spraying materials.

23 MS. LI: Still vague and ambiguous. You
24 spray even during programming.

25 MR. CATALONA: You're making it vague and

02:00:47

1 programming for many, many years. When you get a
2 Gerber file, okay, from a printer circuit board, you
3 know what your X and Ys are. You know X and Y, you
4 know what component is in X position, what component
5 is in Y position, you know all this. Here, you're

02:05:15

6 talking about a platform that is floating. You don't
7 have a reference point.

8 Does that make sense to you?

9 Q It doesn't make any sense. I just asked why
10 can't you turn the machine off?

02:05:28

11 A For the same reason. You don't have a fixed
12 point. How can you go by when you don't have a fixed
13 point?

14 Q You can't explain that?

15 A Your board is coming in here. If you have

02:05:38

16 an automated board loader, you have a stopper. The
17 stopper is always in the same position. You know
18 where your 00 is. You know 00 is for X, you know 00
19 is for Y. Period. There's no doubt about it.

20 Here, it changes. If the board is a little

02:05:54

21 bit bigger, then you have to move it a little bit. So
22 then guess what happened to your 00. It's gone. Then
23 you have to move it here. Then what you gonna do?
24 You're going to look from outside? No. You have to
25 go in there, stick your head, look at the board, make

02:06:15

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1 sure that the valve is aligned because you don't have
2 anything to go by.

3 Q And the machine is spraying when your head
4 is going in?

5 A No.

02:06:26

6 Q No. It stopped.

7 A No. This is prior. See, you don't
8 understand the concept. You keeping saying it will
9 stop, it will stop. You don't understand the concept.
10 You're not -- seems like you never have programmed

02:06:38

11 equipment.

12 Q I'm trying to understand it from you, and I
13 don't understand why you can't turn off the machine.

14 A I'm going to do baby steps with you. I'm
15 going to do baby steps with you so you can understand.

02:06:54

16 Q Well, we could do baby steps, but --

17 A I want to do baby steps because it seems
18 like you don't know -- you're asking questions --

19 Q Are you able to explain -- just can you give
20 me a thumbnail?

02:07:07

21 A No. Because you're asking a question that
22 is more complex than what you make it seem like.
23 You're asking oh, why do you put your head in there.

24 Q No. I never said that.

25 A What was your question again?

02:07:20

1 Q Why can't you turn the machine off before
2 sticking your head in?

3 A Okay. And again, I'm going to tell you.
4 Because whenever you do programming, you have to have
5 your door open and you have to look where the spray
02:07:32

6 is -- what area is spraying. That's how I was taught
7 by PVA. There is no other -- you know, it just seem
8 like you could have done this, no. By nature this
9 machine has flaws.

10 Q How would you design the machine so it
02:07:53

11 didn't have flaws?

12 MS. LI: Objection. Lacks foundation, calls
13 for expert opinion.

14 THE WITNESS: I'm not a design engineer.

15 BY MR. CATALONA:

02:08:08

16 Q So you can't tell me how you'd fix the
17 machine so it wouldn't be dangerous?

18 MS. LI: Objection. Argumentative,
19 harassing the witness. And same objection as before.
20 Go ahead.

02:08:21

21 THE WITNESS: I don't work in designing
22 machines. I can only tell you what I can see. It's
23 like you when you see a tree is in the middle of the
24 road. You know it should not be there. But that's
25 not your job to develop where the tree is going to be

02:08:34

1 Certification of Court Reporter

2 Federal Jurat

3
4 I, the undersigned, Certified Shorthand
5 Reporter of the State of California, do hereby
6 certify:

7 That the foregoing proceedings were taken before
8 me at the time and place herein set forth; that any
9 witnesses in the foregoing proceedings, prior to
10 testifying, were placed under oath; that a verbatim
11 record of the proceedings was made by me using machine
12 shorthand which was thereafter transcribed under my
13 direction; further, that the foregoing is an accurate
14 transcription thereof.

15 That before completion of the deposition, a review
16 of the transcript [] was [X] was not requested.

17 I further certify that I am neither financially
18 interested in the action nor a relative or employee of
19 any attorney of any of the parties.

20
21 IN WITNESS WHEREOF I have hereunto subscribed my
22 name on March 19, 2018.

23 
24

Elizabeth Schmidt

25 CSR No. 13598

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